



{In Archive} Co-Prosecutors Request to Reply to Nuon Chea 's Response to the Immediate Appeal in English Only Today

William Smith to: Sheila PAYLAN

03/12/2012 08:22 AM

Cc: Andrew CAYLEY, Andrew Ianuzzi, antaguisse, Arun Son,
a.vercken.cetc, CHAN.Dararasmey, Chea.Leang,
CHIFFERT.Mathilde, Dale Lysak, diablo noir, FERNANDEZ.Eleonor,
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Dear Ms Paylan

Pursuant to Article 7.2 of the Practice Directions on the Filing of Documents before the ECCC the Co-Prosecutors request authorization from the Chamber to file only an English version of their reply today to Nuon Chea's Response to the Co-Prosecutors' Immediate Appeal of Decision Concerning the Scope of Trial in Case 002/01, E163/5/1/4. This response was notified in English on 20 November 2012 and the Khmer on Monday 26 November 2012.

However as there were three public holidays from 27 to 29 November and some translation staff had previously booked a leave day on Friday 30 November there has been significantly less time available to translate the Co-Prosecutors Response. The Co-Prosecutors have previously requested an oral hearing or, alternatively, leave to file a joint reply to the responses of the three Accused on 21 November 2012, E163/5/1/6, however the Supreme Court Chamber has not yet ruled on this request. Consequently, in order not to waive the Co-Prosecutors right to reply and in light of the notification of the Khmer version of the Nuon Chea response on the eve of a series of public holidays the Co-Prosecutors ask that the Supreme Court find that these circumstances are exceptional in accordance with Article 7.2. The Co-Prosecutors would therefore request that they be allowed to file in English only today with the Khmer to follow immediately afterwards.

Regards

William Smith
Deputy Co-Prosecutor